

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GLENN NICKERSON, JR.,

Defendant.

)
)
)
)
)
)
)
)
)

8:07MJ193

ORDER

This matter is before the court on the joint motion for a psychiatric evaluation as to the competency of the defendant, Glenn Nickerson, Jr., (Nickerson) pursuant to 18 U.S.C. § 4241. The motion was made during a hearing on December 26, 2007. Appearing at the hearing were Nickerson, his retained counsel, Glenn A. Shapiro, and Assistant U. S. Attorney Douglas R. Semisch. Nickerson is charged in a criminal complaint with violations of 18 U.S.C. 922 (g) (3) and (4), i.e., the possession of firearms by a person previously mentally committed and by an unlawful drug user.

Counsel for Nickerson concurred in the motion and represented to the court Nickerson had ceased taking his medications. The court took judicial notice of the criminal complaint in this matter together with all of the attached exhibits. The court finds the motion is well taken. The request for a psychiatric evaluation will be granted.

IT IS ORDERED:

1. The joint motion for a psychiatric evaluation is granted.
2. Pursuant to 18 U.S.C. § 4241, Nickerson is committed to the custody of the Attorney General for placement in a suitable facility to be examined for a reasonable period of time, not to exceed thirty (30) days, to determine whether Nickerson is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.
3. A psychiatric or psychological report shall be filed with the court with copies provided to counsel of record at the completion of the period of examination.
4. Upon receipt by the court and counsel of the examination report, a hearing pursuant to 18 U.S.C. § 4247(d) shall be promptly scheduled to determine the competency of Nickerson to stand trial in this matter.

DATED this 26th day of December, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge